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Tom Lantos Human Rights Commission

Hearing on
The State of Religious Freedom Around the Globe
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Thank you to Co-Chairmen McGovern and Smith, Members of the Lantos Commission, and their staff members for this opportunity to contribute to a critical discussion about the state of religious freedom worldwide. Thanks also to my fellow panelists for their contributions.

My name is Susan Hayward. I recently stepped down after fourteen years with the Religion and Inclusive Societies Program at the US Institute of Peace to become Associate Director of the Religious Literacy and the Professions Initiative at Harvard Divinity School's Religion and Public Life Program. My remarks here draw from my experience as a peacebuilder working worldwide with diverse communities, as well as my research into the religious factors and actors that shape conflict and peace. My remarks do not necessarily represent the position of my places of employment, past or present.

I begin by acknowledging the concerning rise in recent years of social hostilities related to religious identity and government restrictions on the free exercise of fundamental belief and practice worldwide. The pandemic, unfortunately, has exacerbated these dynamics as some religious groups, including Pakistan Shi'a pilgrims returning from Iran, Muslims in India, or Orthodox Jews in New York City, faced communal backlash for their perceived role in facilitating the spread of the virus. The testimony of many of today's witnesses give us a glimpse of the severity of the challenges faced by vulnerable communities worldwide. And so, as have the others, I underscore the importance of this issue and the need to address it. I also encourage US policymakers to reflect critically on past policies or approaches that have seemingly failed to prevent or stem this rise, so that we might better respond to these forms of violence and oppression moving forward.

To that end, the primary point I hope to convey today is the importance of integrating a conflict-sensitive approach to religious freedom promotion within a multi-dimensional diplomatic strategy. I convey this point with urgency because I have seen firsthand how the US approach to religious freedom promotion has sometimes heightened inter-communal tensions in conflict environments, making already vulnerable communities more vulnerable while obscuring, and sometimes ignoring, other critical power dynamics and factors driving violence and oppression.

While I believe passionately that the US must maintain its commitment to protecting the right of all people at home and abroad to believe and practice their faiths – or lack thereof -- and to not be discriminated against based on their religious or non-religious identity and practice, I urge the US to "right-size" its approach to religious freedom within its diplomatic strategy. I believe this will ultimately make US religious freedom policy more effective.

Allow me to elaborate with three points.

1. First, religious freedom violations often occur in a complex context of political and social conflict, and must be understood and addressed in a manner sensitive to conflict dynamics so as not to exacerbate them. In situations of fierce political, social, and economic competition, it is not uncommon to see government, armed groups, and communities target certain religious or ethnic groups. Nor is it uncommon for political and movement leaders to use religious identity and language as a means of exerting influence, mobilizing communities, and legitimating violent policies or tactics that bolster their power. As outsiders, by defining and responding to these dynamics primarily through the lens of religious freedom, I fear we unintentionally reinforce them, contributing to the hardening of religious identity divides and religious power politics, and sometimes making already vulnerable communities more vulnerable. Meanwhile, it may distract us from addressing the salient economic and political interests driving violence.

   As one example, in Nigeria conflict is sometimes defined across religious divides – Christian vs Muslim. And no doubt, there is political competition and localized violence across religious and sectarian identities. But as is often noted, violence in Nigeria is also organized by ethnic identity, or as arising between herders and farmers competing over increasingly scarce arable land. In fact, a recent Mercy Corps report noted that the overwhelming episodes of violence in northern Nigeria are related to criminal activities or conflicts over land, rather than religion.[1] To interpret and respond to violent conflict in places like Northern Nigeria exclusively through the lens of religion risks fueling religion's increased salience as a mobilizing force by local actors, while potentially distracting us to other drivers that must be addressed to reduce violence and oppression.

   As another example, if we interpret the tragic situation faced by the Rohingya Muslim community in Burma primarily through the lens of religious freedom, we fail to take account for the economic issues that drove their displacement and land grabbing by the military. We fail to see the manner in which the Rohingya were a tragic casualty of growing and fierce competition between the National League of Democracy and the

[1] **'***Fear of the Unknown': Religion, Identity, and Conflict in Northern Nigeria.* Mercy Corps Report, July 2021.

military that foreshadowed the recent coup. And we create greater competition among ethnic and religious minorities vying for attention and support from the international community, rather than promoting solidarity among them so that they might better advocate for a representative and democratic government, which would ultimately be a more sustainable way to ensure justice for the Rohinyga.

Moreover, on more than one occasion in my work overseas, members of vulnerable religious groups -- Muslims in Myanmar, Christian in Iraq – have conveyed to me that US religious freedom rhetoric emphasizing their persecution at the hands of a religious majority has sometimes unintentionally made them more vulnerable – reinforcing a pre-existing idea that that they are foreign-influenced operators, not sufficiently a part of and loyal to the national community.

The solution is not to ignore the targeting of these groups, of course. But rather, to place specific religious freedom issues within the broader context and respond to them accordingly.

2. My second point builds from the first. Religious freedom cannot be addressed in isolation from other human rights concerns and challenges to democracy more broadly. The rise in religious freedom violations we have seen worldwide comes at a time where there has been a concurrent rise in general human rights violations and democratic backsliding worldwide. This is no coincidence.

   An approach to addressing religious freedom that recognizes threats to it as part of larger and interrelated threats to other human rights and civil liberties can better ensure civic strengthening as a broader outcome of our religious freedom promotion. I believe this will be more successful, ultimately, in promoting religious freedom than will narrow strategies that focus on individual violations, which tend not to be sustainable.

   This approach can also help address and resolve some of the inherent tensions that arise between some human rights as they are promoted (for example, between religious freedom and gender equality). And finally, it can better ensure that religious freedom efforts are framed and addressed in ways that will be locally meaningful, rooted in recognition of their manifestation within a complex context.

3. Third, religious minorities face particular and serious vulnerabilities, as we have heard today. But I believe it is unhelpful to speak of religious freedom as synonymous with minority rights. Religious freedom and minority rights are overlapping but separate issues. I fear our conflation of them has done a disservice to understanding how best to protect all minorities – those religious, racial, and ethnic -- while leading us away from addressing the needs of those within majority religious communities who face oppression or violence as a result of their particular religious or non-religious beliefs and practices.

Returning again to the Rohingya Muslim community, they no doubt face broad social discrimination and government targeting as a result of their Muslim identity. Their inability to erect mosques is but one small example of a specific religious freedom violation restricting their free practice. But the challenges they face are also connected to their ethnic identity; Rohingya face different challenges than those of other Muslims in the country, even as they share some similarities in their experiences of oppression with other Muslims as well as with other ethnic minorities – including ethnic minority Buddhists such as the Shan and Rakhine.

The US must not privilege one form of minority identity – religious – over other forms. Our own country's history stands as testament to how racial minority identity renders one no less vulnerable to violence than does religious minority status. Nor should it focus on particular minority groups – certain Christian or Muslim minority groups, for example (who tend to have a greater number of international advocates for them), over others – indigenous communities in Colombia or atheists in Iraq. Moreover, one can be a member of the religious majority group and still face oppression, including when it comes to the free practice of faith. Enslaved Africans seeking to practice forms of Christianity emphasizing God's Exodus promise to free the enslaved in early America could attest to this.

We must remember that religious freedom, or as it is more commonly referred to in Europe, freedom of religion or belief, is meant to protect all people: all religious minorities who face particular vulnerabilities as well as those within majority communities who believe and practice outside what is considered orthodoxy or in a way considered a threat to the political and social order, as well as non-believers seeking freedom *from* religion. The right to free belief and practice extends to LGBT Christians in Uganda prevented from creating worship spaces where they feel safe to practice a theology that affirms their dignity. It extends to atheists in Bangladesh who blog about their beliefs and are killed as a result. It extends to young Buddhists in Myanmar who criticize their religious leadership and integrate Buddhist symbol and practice into anti-coup protests, and who are then arrested for violating anti-defamation of religion laws.

As I conclude, allow me to summarize these points with reference to a particular idea I believe cogent – the idea of "right-sizing" both our understanding of religious freedom issues and our approach to addressing them in any given context. This is a term that has gained traction as part of broader efforts of which I have been a part to deepen and expand religious literacy among policymakers. It urges us not to over- nor under-emphasize the role of religious ideas, actors, or interests in any context or on any issue.

So, too, on religious freedom issues, we must right-size our understanding of what religious identity or interests specifically have to do with the violence or oppression taking place.[2] For example, I believe that an approach that sees religious freedom as the "first right" – one primary to other human rights -- unhelpfully overemphasizes it. We must right-size religious freedom promotion in our diplomatic response by not under nor over emphasizing it, and by ensuring we do not address it in isolation from broader challenges to civil liberties and human rights currently taking place worldwide. This, ultimately, I believe will help ensure our greater success in advancing the cause of religious freedom and addressing the horrible forms of violence we've heard about today from my fellow panelists.

Again, I want to thank my fellow panelists, the Lantos Commission and staff, and Congressmen McGovern and Smith for this opportunity to speak today.

[2] See Petersen, Marie Juul and Katherine Marshall. "The International Promotion of Freedom of Religion or Belief: Sketching the Contours of a Common Framework." Danish Institute for Human Rights, 2019.